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SOME  
OBSERVATIONS  
OR  
REMARKS  
UPON THE  
PAPER

Brought into the  
HOUSE of COMMONS,  
ON

Saturday the 5th. of October, 1695. *Intituled,*  
[ A State of the Case of the Inhabitants of  
the Province of *ULSTER*, in relation  
to the Demands of the Clergy for Small  
Tythes and other Dues.

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Printed in the Year 1695.



*Some Observations or Remarks upon the  
PAPER brought into the House of  
Commons on Saturday the 5th of Octo-  
ber, 1695. &c.*

**T**O pass over the Title of that Paper which will not appear to be the State of the Case, as is alledg'd of the † Inhabitants of that Province, and to make no reflection on the authority to present such a Paper, (which is not sign'd by any one or more Persons) and the Imperfections of it, in referring to Papers mention'd to be annexed, when no such were annex'd to it, at the time it was exhibited, or the last time it was mov'd in, saving that then a printed Tything Table was thrown in without any Order of Council upon it, tho such an Order is said to be annexed to it. And to come to the matters chiefly intended in the said Papers it is observable,

† For some of the Impropropriators in Ulster receive the 9d. as in Fantham Parish in the Diocels of Derry. &c. and others of them a proportion of the said 9d. So that where there are Impropropriators the whole 9d. is not receiv'd by the Clergy; and in many places in that Province, where the Impropropriators are not, the 9d. is not receiv'd by the Clergy but sometimes 6d. sometimes 4d. &c. as in some parts of the County of Down and Monaghan.

I. That several matters of Fact thereby asserted are much mistaken, as will appear by what follows.

1. It is taken for granted by that Paper, *That by the Established Laws of this Realm, all Tythes, and other Personal Duties, ought to be paid to the Clergy of the Province of Ulster, in such manner as is usual in other parts of this Kingdom, and not otherwise*, which indeed may be so far true, if manner there be taken and intended to signify that they should be truly and readily paid and set forth, or to have relation to the particular manner or way of Tything or Paying them: But if it be taken in the sense in which it seems to be intended, and which only will serve their purpose, then it must be understood that all Tythes and Personal Duties, or the Compositions and Agreements for them, now are, or ought to be, the same by the Established Laws of this Kingdom, in all the several parts thereof; and if taken in this sense, the matter of Fact will appear to be far otherwise. For

2dly. It cannot be denied that Tythes (which are a 10th. part of the Annuall Fruits or Increase, either of the Earth or of Beasts, &c.) were in their own nature and first institution of them due and payable in their proper kind, and such Tythes as could be so paid, were Originally alike due and payable to the Clergy of *Ulster* as to the Clergy of other parts of the Kingdom, and not otherwise. But since the time the payment of them was first ordained in *England* and *Ireland* by the command of their respective Kings and Princes, and Confirm'd and established by the Laws and Constitutions of those Realms, Custom and Prescription (founded upon composition and agreement between those who were to receive and those who were to pay the Tythes



Tythes and other Dues) have quite altered the same, and have brought in a different *modus decimandi* for the same things almost in every Province, and in most Counties, nay in many Parishes \* both of *England* and *Ireland*, according to the different circumstances of places and Plantations; and the Agreements and Compositions made touching the same: And this is likewise true as to the Personal Tythes, which are called in that Paper personal Duties; so that the first part of that Paper is without any foundation at this day to support it, and hath been so for time immemorial.

\* One instance of very many that may be given in the Diocese of Clogher, is the Parish of Killan, which lies in the Counties of Lowth and Monaghan; That part in Lowth pays 1 d. for every Milch Cow, that part in Monaghan 4 d.

II. The second matter of Fact alledged in the said Paper is as much mistaken as the first, the same being insered in these words;

2. That upon some Controversies pretended to arise between the Clergy and Layty of that Province, in the 5th. Year of King Charles I. the then Lord Primate of Ireland, intending, as is alledged, to settle and compose those differences, collected a Table of Tythes calculated for the said Province, altogether differing from the Rates paid in other parts of this Kingdom; and by his Graces influence an Order of Councell was obtain'd for confirmation thereof, thereby strictly charging and commanding all Bishops, Chancelors, &c. to put the same in execution, and to determin all causes of Tythes according to the same, the great mistakes whereof will appear in what follows.

That tho it may be true such a Table of Tythes was collected by the then Lord Primate, and calculated for the Province about the time therein mention'd, which did differ from the Rates paid in other parts of the Kingdom, as that Province did then differ (and still doth) in many cases from the circumstances of the other Provinces; yet they have not reason to complain of the then Lord Primate, because that Table in the instance given in the Paper of Nine pence, for a new Milch Cow, and Four pence half penny, for a Gawnagh or Stripper, was more for the ease of the Layty then the former Tything Table; And whereas they also charge the said Lord Primate by his influence, &c. to have obtain'd an Order of Council for the confirmation thereof, as is therein expressly aver'd. And the Paper refers to such an Order annexed: Yet no such Order was annexed at the time of exhibiting that Paper, or since. And there is great reason to believe there never was any such Order, or Act of State as is evident from the very form of the said Table, whereby tis order'd to be entred amongst the Acts of State here, and the Chief Governours required to publish the same; and it plainly appears upon the last motion made in that matter, in the House of Commons, that nothing was to be annexed but a Tything Table, without any Act of State to confirm it, there being no occasion on the Clergies behalf for any such Act of State, or confirmation of the same; It being made in favour of the Layty, and only confirm'd and ratifyed by the Royal Authority so far forth as the Rates containd therein are agreeable

agreeable to Law, and the *laudable* Custom of that Province, *since the Warrs*; so little reason is there for the Clergy originally to ground their Tytle to their small Tythes, or Dues, or to the Rates for them, on the said Table which in favour to the Layty brought down the *nine pence*, payable for every Cow to the Clergy to *four pence half penny* only for a *Strapper*, and thereby took away a considerable part of the Dues of that Province from the Clergy; who because of the Layty's complaints, and the King's directions, did in such case submit to the whole last Table for the preventing all future difference, that might arise concerning the same; And this brings in the next, or third matter of Fact to be consider'd, which is affirm'd in these words.

Note, There were Customs that were not laudable before the Reformation which the Clergy parted with.

III. *That by Colour thereof*, that is (of the said Table and Order of Council) *the Ministers of that Province do receive nine pence for each Milch Cow and Calf where onely a penny half penny is due and payable*. The answer whereunto is this, *viz.*

That several of the Ministers of that Province do receive *nine pence* for each new Milch Cow and Calf, but that they do receive it by colour of the said Tything Table and Order of Council (or rather no Order of Council) or that they receive it where only a penny half penny is due and payable, is absolutely denyed, the truth whereof will be clearly evinced from what ensues.

I. It must be universally acknowledged that all Tyths are payable in kind, where Custom alters not the Law, and that if *a penny half penny* is onely due and payable for Tyth of a Milch Cow and Calf (where *nine pence* is received) then the said *penny half penny*

*penny* must become due and payable by Custom and Prescription for the said Tyths upon some agreement or composition made for the same. But that such Custom & Prescription cannot be insisted upon in this place is very plain, because such Custom or Prescription must be continued & uninterrupted, else it ceases to be such Custom or Prescription as is legal or binding. And it cannot well be denyed that the *nine-pence*. for the said Tythes, &c. hath been received (where the *Penny half Penny* is onely pretended to be due) for 80 years last past, and that is such an interruption and discontinuance, that such pretence of a *Penny half Penny* being only due, must thereupon vanish and quite disappear. And it might with great reason have been expected that the Clergy of that Province might have received the *nine Pence*. for 80 Years more, without the least question or dispute, had not there come over since the late Troubles into that Province from the Neighbouring Kingdom a great number of People generally disaffected to the Established Church, who (being strangers to the Country and this settled Composition) did in the first place apply to their Representatives to endeavour the taking away the maintenance of the Ministers, and then they well know the ministrations would cease, or be render'd contemptible and insignificant, but little considering that tho they should gain this point, yet they will intirely miss of their end; for that their Landlords (and not they) will have the benefit thereof, as will plainly appear, by what follows; from whence it seems to be clear, that if the Composition of a *Penny half Penny* insisted to be onely due and payable hath no other foundation then

Note, The Members of Parliament are the Representatives of the Clergy as well as of the Laity.

then as above, then the Tyth of Milk, Calf, and Cheese, ought to be paid in kind according to King *James's* first Order in his plantation of *Ulster* and the Inquisitions upon which the same was grounded since found or the value of them, or the settled Composition for 'em; and in truth *nine pence* is not generally the full value of the 10th part of the yearly increase of a Milch Cow, and yet it was accepted by the Clergy and agreed to be paid by the Layty, not only in lieu of those Tythes, and in consideration of the difficulty of paying them in kind, but also in lieu of many antient Customary \* Dues belonging to the Clergy of much greater value, which they quitted in favour to the Layty, the one being confirm'd, and the other abolish'd, by the mediation of the Chief Governor and Council, upon hearing the Complaints and Grievances both of the Clergy and Layty at large, and with their good liking and consent in or about the 11th Year of the Reign of King *James I.*

Note, The Customary Dues quitted Tennihaniit or 2 s. or two Sheep as a Legacy for the Soul, Punan Regan 3 Sheafs for Ministers & Clerks Horses. Punan

Clergy, Punan Bracky, one Sheaf of all sorts of Corn for every Horse in the Plough, Canon Portions that were Mortuaries after the old fashion, being the 10th. of every mans debtless Goods, Portial St. Patrick's Ridges. A Ridg of Winter Corn. and a Ridg of Oats for every Plough; Mary Gallons; proportions of Meat and Flesh at Marriages and Burials. For every Beef killed at a Funeral, the Hide and Tallow, and a Quarter besides: And for every Man that dyes, a Mutton, by the name of an Anointing Mutton. Mortuaries or Femes Coverts, and such like.

And it is further observable, that after such provision was made for the Clergy in *Ulster*, and that they had over and above such provision, considerable endowments of Gleab settled upon them by the pious bounty of that Wise and Religious Prince, that



the Ecclesiastical Benefices and Promotions in that Province were tax'd in the 14<sup>th</sup> Year of the Reign of that King, with respect to such Dues and Endowments, and to this day the Clergy there do pay Twentieth Parts, and First Fruits, according to the Taxes on Record in the *Exchequer* for the same. And if those Dues should be lessened, then the Clergy ought not in conscience to stand obliged to pay according to the said Rates in the Kings Books for them, which hath brought (and still brings) in a considerable Revenue to the Crown ever since the said Taxation; so that His Majesties Revenue will be necessarily thereby impaired, which all good Subjects ought as much as in them lies to prevent.

And it may be further consider'd, That if the Clergy of *Ulster* do receive more in this particular than other Clergy of the Kingdom do (for which there may be many Reasons given) they likewise are generally taxed much higher in the Kings Books than others of the Clergy in other parts of the Kingdom are, and pay accordingly, there having been no Taxation of Church Livings made in all King *James* the firsts time, but only in *Ulster*, and that done (after the *nine pence* for a Milch Cow was settled) as is plain by the Kings Books on Record in the *Exchequer*.

Moreover to assert that a *Penny half Penny* is or ever was only due and payable in all parts of the Kingdom, or more especially in *Ulster* for the Tyth, of Milch Calf, &c. as a general Rule either in the whole Kingdom, or in that Province where *nine pence* is received as in that Paper seems to be imply'd, is so gross a mistake, that it appears by Inquisitions of old

Times,

Times, before the plantation of *Ulster*. that *Eight Pence* was paid for Tyth of Cow and Calf in some part of the Diocess of *Derry*, *Four pence half penny* in some part of the County of *Tyrone*, and in *Monaghan* at this day *Four pence* is paid, which last nam'd County is in the Province, but not of the Escheated Counties, *cum multis aliis*; so much misrepresented is that third matter of fact also.

IV. The Fourth matter of Fact is, *That by the said pretended Table of Tythes, and Order of Council severall other Dues are illegally impos'd and exacted from His Majesties Subjects of that Province contrary to all Law and Reason.*

1. Nothing is impos'd without consent, Consideration, and recompence, as above; and therefore nothing exacted, because the Clergy have not a full recompence, for the Tyth Milch, &c. and the Customary Dues taken from them; and this last Table confirms nothing therein mention'd, but so far forth as it is agreeable to Law and Custom, (which alters the Law) and therefore not contrary to all Law and Reason, as is asserted in that Paper.

In the last place it is observable how little reason the Layty have to complain of this last Table, which brings down the *nine pence* a Cow formerly sold to *four pence half penny* in some cases, for which they were beholden to that Primate mention'd in the said Paper, in prevailing with the Clergy to submit thereunto, and more especially they ought not to complain of the Dues mentioned in that Table as illegally imposed or exacted, since all the rest of the particulars in it are either agreeable to Law, or rated much under the true and real value of the Tythes  
due



due \* and payable in their proper kind by Law, or as is paid for some of them in other parts of this Kingdom, which is much for the advantage of the Layty of that Province. And as for the particular of *Mortuaries*. (or *Corse presents*) in the said Table it is well known that they are due and now paid in several parts of *England*, and settled † there by Act of Parliament; wherein it is declared that the Clergy have interest therein; and when it shall be considered that the same are received but in

\* Easter Offerings 4 d. in Ulster, elsewhere 12 d. by the name of Couple Money; For Gardens 1 d. in Ulster 3 s. 4 d. in Munster and elsewhere 5 s. &c. cum multis aliis. Book Money in Connaght for Burials 3 s. 6 d. here 1 s. Christnings there 2 s. 6 d. here 1 s.

† Vid. Engl. Stat. 21 H. 8. cap. 6.

few places in *Ulster*, and that the rates in this Table mention'd for Mortuaries were introduced in the place of the Mortuaries of old fashion, formerly paid to the Clergy, and by them quitted as one of those old Customary Dues (being the 10th part of a Mans Goods.) It cannot but be acknowledged that it was for the great ease and benefit of the Layty that the last was introduced into the place of the former, and therefore there is no reason for them to be dissatisfied in that particular.

Lastly, in the end of the Paper is a Petition for Redress; inasmuch as the Rates contained in the said Table of *Tythes* are therein said to be altogether unreasonable, illegal, arbitrarily imposed on the Subject, without any due Course of Law.

To which may be answerd, That many of the Rates are without question agreeable to Law, and that they are onely confirmed by that Table so far forth as agreeable to Law and the Custom of that Province, (which alters the Law) For which there was

a composition made, and a much more valuable consideration was given, and parted with both for the *nine pence* a Cow and the old Mortuaries, then the value receiv'd to the Clergy ( which seems to be the two chief matters principally struck at by those that brought in that Paper ) and if any have reason to complain the Clergy have, in losing one half of their *nine pence* in many places by the said Table.

And it is further to be consider'd That mutuall consent and submission of Clergy and Layty concludes the Parties as much as if it had been done by due Course of Law, and especially when settled upon full hearing of all complaints and grievances; and this being so done, and an agreement made thereupon and executed for 80 years together in some cases, and in all near 70, seems not to deserve those hard words that reflect so much unreasonableness and illegality on the said Tything Table it self, and so much arbitrariness on the Royal Authority, which was only instrumental in settling and composing the differences concerning the same between the Clergy & Layty as aforesaid; especially if it shall be further considered in the first place,

Memorand.  
By one of the  
Clergy in the

County of Cavan a Judgment was obtained for the 9d a Cow and Calf in the Kings Bench in the Year 82. The composition and prescription for the same being prov'd at an Assises in the said County. *Charleton v. O Reyley.*

1. That there is nothing in the first of the Tything Tables in King *James* the first's time, wherein *nine pence* for every Milch Cow is settled that can be reasonably disputed or objected against; It having been settled (as is aver'd in the Act of State) upon comparing every particular demand with the written Laws and

D

Customs

Customs of this Kingdom, and being therein declared to be a Reformation of all the Grievances mention'd in the Bill of Complaints of the Inhabitants of the said Province; Yet the Authors of that Paper would except that particular of ninepence for every Milch Cow, which being rang'd under the head of Tythes for Calves, Cheesa, and Milk, it is therein said, that those Tythes are *due by Law, and payable in their proper kinds, when the Custom of Tything alters not the Law,* and the reason given why nine pence is settled in such case for the same, is for the *great difficulty in payment of those Tythes in kind, which must be between the Minister and the Parishioners*; and therefore nine pence for every Milch Cow, was settled in full satisfaction of those Tythes, and also in lieu of the *old Ceremonious Customs* which were thereupon taken away, whereby it plainly appears to be a real Composition made by the interposition of the King, his Chief Governours, and his Council here, founded upon the consent both of the Clergy and Layty, after a full hearing and mature consideration had of the Grievances and Complaints of all the Parties concerned; and also to be in lieu and recompence of the *old Ceremonious Dues* now taken away and abolished, all which is Recited in the first Act of State, and the Confirmation thereof at large, long before this last Table bears Date.

2. It is to be consider'd that at the time of this composition and agreement, the Clergy were possess'd of the old ancient Ceremonious Customs (above their Tythes) complain'd of in their first Tything Table, and in the Order for confirmation thereof, which Customs upon the said composition were taken away;

away ; and shall it then be held reasonable that those old Customs and Dues so secur'd to them by Custom and also by Statute Law should be taken away, by their submission and consent, and the settlement or composition made in lieu thereof should be taken away too. If the nine pence shall, or can be taken away, (which seems to be the composition aforesaid) the Tythes of Calves, Cheese, and Milk, ought in such case to be paid, as being due by Law, and to be restor'd with all the said old Ceremonious Customs complain'd of ; which will be much more for the advantage of Church-men, and prejudice of the Layty : So that what was done in those Tything Tables was really done in favour of the Layty, and with their consent, and therefore either the composition or *modus decimandi* which appears to be the nine pence for every Milch Cow and Calf, &c. must be paid (which is a discharge of the legal or natural Tyth, and also of those old Customs, and so works by way of discharge) or the natural Tyth, or Tyth in kind paid, as it ought to be by Law, and the old Customs restor'd.

tarily in lieu of Tyth, Milch, Calf, &c. and of those old customary Dues which were abolished, to which the Ministers and Inhabitants submitted of their own accord, it being left to their own discretion, as in the first Tything Table appears.

Vid. Stat. of Tythes 33 H 8. C. 12. in Ireland.

This appears plainly, because in several parts of the Counties of Down & Antrim the 9d. was of chief submitted to voluntarily

3. It may be further consider'd, That the Inhabitants of the Escheated Counties, have really an advantage in being freed from those old Customs, which (do prevail) and are of force in several parts of this Kingdom where the Tything Table doth not take place, and that in all places in *England*, and *Ireland*, Tythes, &c. and Ecclesiastical Duties are due by Law,

Law, or compositions made and paid according to the several Customs of divers places for all those things mention'd in the several Tables, as well in the first, as in the last to which that Paper refers.

4. It ought to be consider'd how sacred all things are that are given to or settled upon the Church ; and if it be sacriledge to take away, or withhold what is so given or settled ; It is much greater sacriledge to take away and withhold what was settled upon the Church in consideration of such things as were of greater value, and which the Church parted with in lieu thereof, for the ease and the accommodation of the Layty, and it must yet be the highest sacriledge of all to take away both, that which the Church parted with, and that which was given, or settled on them in consideration of their parting with the same, and as a recompence thereof.

5. It is to be consider'd that a great many of the best quality of the Layty are interested in the Tything Table of *Ulster*, as (a) Impropriators, and do constantly receive this *nine pence* a Cow, where all Tythes and other Dues are Improprate, and give considerable Sallaries to Curates ; this is a great part of the profits of their Freeholds, and so it is of the Churches ;

(a) Marquess of Normanby  
Lord Donegal. Lord Longford.  
Lord Massareen. Sir Robert Colvil. James Hamilton of Bangor Esq; with many others.

and Freeholds are generally confirm'd, not taken away by Parliaments ; many Lay Patrons are also concern'd in the Donation of divers of the Livings in *Ulster* ; The King, the College, &c. and the value of their Presentations will be rendred insignificant, if those Dues be reduced or altered, and moreover, not only the Impropriators, but divers of the Cler-



gy in (a) *Usser*, who bought, in the Leases of Tythes and Ecclesiastical Dues from the Crown before *Thirty One*, and have since past Patent of the Reversion of them, with an increase of Rent to the Crown, will be great sufferers by any alteration in this matter, and his Majesties Revenue also necessarily impair'd by it.

(a) The Dean of Down and several of the Clergy in and about Lecale now pay the old Rent to the King, with a fifth part increase for Improprate Tythes they hold from the Crown, whereof nine pence a Cow &c. is part.

6. If it be consider'd what confusion will follow on the payment of Tyth, Milk, Cheese, and Calves in kind; It cannot but be concluded by all sober Persons that the composition of *nine pence*, is much for the ease and conveniency of the Layty, and for preventing of the Daily disturbances, difficulties, and quarels that would arise about Receiving and Paying those Tythes in kind, (which King *James* the first directed should be done in *Usser*) who to prevent all differences settled that Composition, which is named to be a Composition in the very printed Table, at last thrown in after the State of the Case in to the House of Commons, and is given as a reason of the Composition of *nine pence per Cow*, in the first Table.

Sometimes of old, the 10th Meal was paid, sometimes the Meal the Cow gave every Monday Morning, sometimes a Measure of Butter &c.

7. And lastly, King *James* the first could not have greater Authority over any part of this Kingdom, then over the Escheated Counties, which were entirely vested in him both as to the Lands and Tythes, and therein he directed Tythes should be taken in kind, and where the Incumbents have good

\* See the confirmation of the first Tything Table in (21) by which this is done.

See K. James the firsts directions in this point in the Apostles, in these words, Where the Ministers have Tythes in kind and as in the new Plantation have good Means, there the Custom to be abolished, in other places where Means are wanting, to be continued.

means, as in the \* Escheated Counties, the said old Customs were by him directed to be abolished, and were so there, and for the ease and conveniency of the Layry, *nine pence a Cow and Calf in lieu of Tythes for Milches, and these old Customs, was settled as afore-said*: So little of Truth is in that plausible and common pretence, that the *nine pence a Cow*, was settled on the Clergy for want of other support; and because there was little or no Corn in the

Country, when it is notoriously known in *Ulster*, That King James the First endowed the Church there, not only with all Tythes, great and small, to be Received in *specie*, but also with very considerable Gleabes, and that the composition of *nine pence a Cow*; had no respect to any thing but to the Tyth, Milk, Calf, &c. and those Customary Dues, his Majesties chief design in the said Plantation being (a) *to provide comfortable supports for an Able, Learned, Pious, and Religious Clergy* therein; as may be seen at large in the Representation of his said Majesties Commissioners, from hence to his Majesty, for the affairs of the Church in the words in the Margin, (b) and therein the manner and ground of taking away those old Customs plainly appears;

(b) And in and of setting the *nine pence a Cow* in lieu thereof, our opinion which is therein called a *Settlement or Composition by Agreement*. it would much con-

duce to the benefit of the Church, and peace of the People if divers strange customary things which has been much complained of unto us, as Mortuaries of Goods after the death of a *Female Covert, Tenement or 2 s; or 2 Sheep as a*

Some



Legacy for the Soul, St. Patricks Ridges, proportions of Meal and Flesh at Marriages and Burials; Mary Gallons, &c. and such like Duties demanded by the Clergy and denied by the Layty, were either upon a fair tryal of such Right or Prescription quieted, or a Composition made by consent, establishing a proportionable Recompence, in lieu thereof, to which purpose it may please your Majesty to require your Lord Arch-Bishops and Bishops to travail effectually in their several Diocesses, &c. And again, (Old Tythes exacted in Ulster) In the new Plantation, where the Church by Your Majesties gracious Bounty is otherwise provided, for these are in a manner abolished, and in lieu thereof Nine Pence a Cow is settled by Act of State, the same in our opinion is fit to be continued: but in other places, where there is no Settlement or Composition by Agreement, if they be warranted by a Customary Prescription; the same cannot without consent and recompence, be taken from the Church, &c. And again, And whereas the Parsons and Vicars in divers places of this Realm do claim old Irish Customs and Exactions of Tythings contrary to the Use and Law in England: That a course be taken by an Act of State, or otherwise, to limit a valuable consideration in point of Tythes in specie, in lieu of the said Customs, and those Irish Customs and Exactions to be abolished; which course has been already taken in Ulster.

*Some Considerations further offer'd, which do arise ab incommodo against altering this settled Composition, as well to the Layty as to the Clergy.*

1. **T**Hat at this time an attempt of this Nature, to take away this Composition & Agreement, is highly unreasonable when in very many places in the Escheated Counties, the present support (c) of the Clergy, by reason of the late War and Desolation is not half, nay, in some places not a third, of what it was before the late Troubles; and in many places

(c) Every Diocess doth afford several instances of this kind.

in

in *Ulster*, the *nine pence a Cow* is two thirds, or more, of the profits of a Parish, and divers of the Clergy have their Churches and Houses to Build; which were destroyed in the late War, by which many of the Clergy themselves were utterly undone; and where they have no Houses, are to be obliged (in order to residence) to build upon their Gleabs according to a Bill now prepar'd for that purpose. And moreover the taking away the said *nine pence a Cow*, or reducing that Composition to a lesser sum at any time, will be for ever to the utter undoing of all the Vicars in *Ulster*, especially of such as are in the Diocesses of (d)

(d) Which are the best planted parts of *Ulster*, and do most abound in Corn.

*Down & Connor*, many of whom have their whole Subsistence, and endowment out of the small Tythes only, the great Tythes belonging either to Impropriators, or to Dignitaries, and being paid to the said Impropriators, or to the said Dignitaries of the said Diocesses, who have and enjoy several Parishes, which are made by Letters Patents, the Corps of their Dignities, and in many of those Parishes a Vicar is endowed only with the small Tythes, who (as their circumstances now are) have but a small support, but in case of taking away or reducing the same, will be utterly undone in as much as all the rest of the small Tythes in the said Printed Table, except the *nine pence a Cow*, and *four pence half penny a Stripper* are very inconsiderable.

2dly. The impoverishing of the Clergy by this means must be the ruin and downfall of the Church; for a Scandalous Maintenance seldom is without a scandalous Minister, and the settlement made by King *James* the first, of a *Learned, Pious, and Religious Clergy* in *Ulster*, by his liberall endowment of the Church with Gleabes, and all Tythes in kind there,

will

will be intirely over turn'd and defeated, and also his Excellency's, my Lord Deputy's design will be greatly disapointed of having the Churches in that part of this Kingdom Rebuilt, or Repair'd, as in his Excellency's speech upon the opening this present Parliament is express'd, when the support is taken away from the Ministers.

3dly. The increase of Pluralities must of necessity follow the taking away of these Dues, which is the thing that all good men (as much as conveniently may be) are endeavouring to provide against, and this is plain by the difference at this day in *Ulster*, and in other parts of the Kingdom, for where *nine-Pence* a Cow is paid, it makes one or two Livings at the most a competency for one Minister, and therefore it is that in *Ulster* the Church is stockt with full numbers to serve and supply the severall Cures singly, whereas in other parts of the Kingdom 4, 5, or 6, nay in some places 12 Parishes (as in Conaught) do not make above 60 l. *per ann.* which have been there given to one Man, and this good provision for the Clergy in *Ulster* has had this blessed effect, that the number of Clergy in that Province of *Ulster* being about 300 are near as many as are in the whole Kingdom besides.

4thly. The taking away this *nine pence per Cow* will impoverish the Countrey, and encourage the Inhabitants to keep great Stocks, and give over † (1) Decay of Tillage, the discouragement whereof will be much of Tillage introduces

1st. Idleness. 2. Depopulation. 3. Decay of Husbandry, one of the greatest Commodities of the Realm. 4 Decay of Churches. 5 Neglect of Divine Service and Worship. 6. Injury to Patrons and Gods Ministers. 7. Defence of the Land against Foreign Enemies enfeebled and impaired.

(a) Vid.  
Ld Cooke at  
large 1st. part  
Instit. 85 6.

to the disadvantage both of Church(a) and State, and it is to be observ'd, that where ever the Stocks of any one Person is great, the Tillage in the same Parish is small, and where ever the Tillage is great, the Stocks in the same Parish are small, so that what advantage the Clergy have by the one, they usually loose in the other.

5thly, The Farmers in the Countrey will be further Impoverish'd by this means, for the Proprietors of the Lands will take the opportunity hereof, to enhance their Rents, and to make them pay *nine pence* more Yearly for every Cow's grasing; and the same will be yet harder upon the Tennants, who must pay the enhans'd Rent constantly, altho the Stock be never so much impair'd, and be under a much harder Yoke.

6thly, Herbage in some parts of *Ulster* is not paid, or if any thing, very little for dry Cattle, and much of that Country is mountainous, and only fit for Grasing, and little Grain or Corn growing in it, but *Oats*, the Tyth whereof is inconsiderable, and all sorts of Grain there, far from any good Market; and if the Clergy have not such Milch money as aforesaid, they will have very little out of their Parishioners Stocks, being most of black dry Cattle in many places, and very few Sheep in the *North*, with which other parts of the Kingdom greatly abound, in many of which also the old ceremonious Customs are continued to this Day, and it is worthy Observation, that where the maintenance of the Clergy in any part of the *North* is most considerable, no one pays more then the Tyth in kind, which is due by Law, but often less in lieu thereof by composition; and the Layty in respect of their

their Lands there upon the Plantation, never had any right to the Tythes thereof; The Tythes being in the nature of a Rent charge upon all their Estates, And if God blessed some parts of the (a) *North* with great store of Corn and other Effects of his good Providence, shall the People that have the Nine parts, Repine at paying the Tenth to the Ministers of that God who has given them so great Plenty, and to specify a deliverance, when 'tis their due by Law, surely this must bring a curse and not a blessing upon such a People, especially when it shall be consider'd that when the Layties Grievances were redress'd, and thereupon the *nine pence* a Cow settled in King *James* the First's time, the People were much poorer then they are now, and are since grown very rich under it, and now that they are much richer then at that time they were, they would pay less for their Dues when they are more able, and how reasonable that is, any one may be judge.

7thly, The lessening the Clergies maintenance, will be a great discouragement to Learning, and few or none will breed up their Children to the service of the Church, which ever was a Store house of great Provision for the Sons of the Layty, and it were very well, if there be any of those Persons who are pressing in this matter against the said Tything Table in *Ulster*, who have had considerable Patrimonies from their Fathers, who were Clergy men, that were raised out of such Dues as were settled by the said Tables, to consider, that their Fathers had a just right to them, and that their Children may come to be of the Clergy again, and do the like for their Children, that their fore Fathers did for them.

Lasty,

(a) The Inhabitants in the Nor-East part of *Ulster* suffer'd little by the War, but rather in many places were enrich'd by it and the soonest deliver'd of any part of the Kingdom.

Lastly if the value of money in former times be compared to the present value thereof, those Dues belonging to the Clergy of old which they parted with for this Table, and were payable to them according to antient Custom and could not be taken away without consent and compensation as afore-  
 said, will be found to be of very much greater value; then what has bin, or now is, paid to them in lieu thereof, since the same were taken away, so that the Layty are the great gainers by this, of which they seem to complain, and the Clergy the considerable loosers and yet are content so to be, if they can quietly enjoy what they now have; and for many years past have had in quiet and peaceable possession.



FINIS.

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